



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND
950 JEFFERSON AVENUE
FORT EUSTIS, VIRGINIA 23604-5700

ATCS-E

29 AUG 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TRADOC Policy Letter 6, Equal Employment Opportunity (EEO)

1. Reference Equal Employment Opportunity Commission (EEOC) Management Directive 715, EEO, 1 Oct 03.
2. Diversity in today's Army is reflective of the changing Nation we serve. I am engaged in and committed to the concepts, policies, and objectives of the Army's EEO Program. I expect all leaders to ensure a workplace where all applicants for employment and our civilian workforce supports our mission without discrimination or harassment based on race, color, national origin, gender, religion, age, disability, genetic information, or other impermissible basis.
3. I am strongly committed to ensuring discrimination does not exist in our policies, practices, or actions and expect no less than complete support by all within TRADOC. Leaders must understand, value, enforce, and be committed to the principles of EEO in all their personnel management practices. Successful mission accomplishment is dependent upon an environment where diversity of thought is honored, policies and procedures are transparent, inclusion is practiced, and all team members are treated with dignity and respect.
4. It is imperative that all leaders create an environment that enables our civilians to file an EEO complaint without fear of harassment or reprisal. The enclosure outlines procedures for processing civilian complaints of discrimination.
5. This policy letter is effective until superseded or rescinded.

Encl


ROBERT W. CONE
General, U.S. Army
Commanding

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(see next page)

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TRADOC PROCEDURES FOR PROCESSING EEO COMPLAINTS

1. Civilian employees and applicants for employment have the right to file an EEO complaint under Title VII of the Civil Rights Act (based on race, color, national origin, gender, or religion), the Age Discrimination in Employment Act, the Equal Pay Act, Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), and/or the Rehabilitation Act (mental, physical disability).
2. Contact with an EEO counselor or official generally must be within 45 calendar days of the action or practice, or when the aggrieved first becomes aware of the action or practice, alleged to be discriminatory.
3. Intent of the informal EEO process is to clearly identify the issues, gather the facts, and seek early resolution. Mediation is often available as a means for resolution. An EEO official or counselor will conduct an informal EEO inquiry, generally within 30 days of initial contact.
4. If sexual harassment is one of the claims raised and the aggrieved is directly supervised by a military commanding officer or a military officer in charge of a unit, the aggrieved shall be advised that there are two statutes applicable (Title VII and 10 USC Section 1561), which can be used simultaneously.
5. Aggrieved will receive a Notice of Right to File (NRF) a Formal Complaint of Discrimination at the completion of the informal process. The aggrieved has the option of then filing a formal EEO complaint within 15 days of receipt of the NRF.
6. During the formal EEO complaint process, a determination will be made to accept, dismiss, or partially accept/dismiss the identified claims normally within 15 calendar days of receipt of a complainant's decision to file formal. The Army has 180 calendar days from receipt of a formal complaint to complete its investigation, which is completed by the Investigations and Resolutions Division of the DOD Civilian Personnel Management Service, and issue a report.
7. Within 3 days of receipt of the completed Investigative Resolution Division file, the complainant will be provided a Notice of Post-Investigative Options advising them they may request a hearing before an EEOC Administrative Judge (AJ) or a final Army decision (FAD) based on the record. If a hearing is requested, the AJ will issue a decision within 180 days of receipt of complaint file from the Agency. Upon receipt of the EEOC Judge's Decision, the Army will issue a Final Agency Order. In cases where a complainant requests a FAD, the Army will generally issue a decision within 60 days of receipt of complainant's request.

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